IN 3743

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031

E Masine Par	perwork Reduction Act of 1995	U.S. no persons are required to respond to a co	Patent and Tra	idemark Office; U	I.S. DEPARTMENT OF COMMERCE displays a valid OMB control number		
- W	-	Application Number	10/505,4				
1 Jan 1	ANSMITTAL	Filing Date	3/14/2005				
I HA	FORM	First Named Inventor	Stephen	Foster	-, -, -, -, -, -, -, -, -, -, -, -, -, -		
		Art Unit	3743				
(to be used for	all correspondence after initial	Examiner Name		ay Mitchell			
	Pages in This Submission	Attorney Docket Number	EMELT				
Total Number of	rages in this Submission						
		ENCLOSURES (Check al	i that apply)				
Fee Trans	smittal Form	Drawing(s)	Drawing(s) After Allowance Communication to Appeal Communication to Board				
L F∈	ee Attached	Licensing-related Papers	Licensing-related Papers		of Appeals and Interferences		
Amendme	ent/Reply	Petition Petition to Convert to a			Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
L A	ter Final	Provisional Application	Provisional Application		Proprietary Information		
☐ Af	fidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence		Status	Letter		
Extension	of Time Request	Terminal Disclaimer	Terminal Disclaimer		Other Enclosure(s) (please Identify below):		
Express Abandonment Request		Request for Refund			Certificate of Mailing; and Return		
Information	on Disclosure Statement	CD, Number of CD(s)		Receipt Pos	tcard		
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	STETIMA BRUNI	A SARKED & BRUCKER	<u> </u>		·		
Signature	11/1/1/		•				
Printed name	Kit M. Stetina, Esq.						
Date	1/12/06		Reg. No.	29,445			
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•	c	ERTIFICATE OF TRANSMISS	SION/MAIL	LING			
	as first class mail in an er	peing facsimile transmitted to the USP nvelope addressed to: Commissioner for					
Signature	Roll	animile					
	name Bethany Mi	les		Date	1/12/06		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions deviced in should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ATTORNEY DOCKET NO: EMELT-001US

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No.: EMELT-001US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Stephen Foster et al) Confirmation No.: 8885
Serial No.:	10/505,466) Group No.: 3743
Filing Date:	3/14/2005) Examiner: Mitchell, Teena Kay
Title:	BREATHING DEVICE	,))

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents Post Office Box 1450 Alexandria, Virginia 22313-1450

Dear Sir/Madam:

The following is in response to the Notice of Non-Compliant Amendment of December 28, 2005.